

EMERGENCY REGULATIONS

Register _____, _____ 2005 COMMERCE, COMMUNITY, AND ECON. DEV.

3 AAC is amended by adding new sections to read:

Chapter 176. Small Municipality Energy Assistance Program

Section

- 10. Applicability
- 20. Eligibility requirements
- 30. Calculation of energy assistance grants
- 40. Department distribution of grant money
- 50. Use of grant money
- 60. Documentation required for payment of grant money
- 900. Definitions

3 AAC 176.010. Applicability. This chapter applies, subject to the availability of appropriations, to the allocation and distribution by the department of money for small municipality energy assistance to eligible cities and boroughs.

(Eff. ____/____/____, Register ____)

Authority: AS 44.33.020

3 AAC 176.020. Eligibility requirements. To be eligible to receive an energy assistance grant, subject to the availability of appropriations,

- (1) a municipality

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(A) must have been classified as a home rule, first class, or second class city or borough under AS 29.04.010 – 29.04.030 as of July 1 of state fiscal year 2005;

(B) must have had a 2003 resident population less than 2,500 persons as set out in sec. 2, ch. 6, SLA 2005;

(C) must submit to the department a copy of the municipality's budget

(i) for the municipal fiscal year in which the allocation is to be made; and

(ii) that is approved by the municipality's governing body;

(D) that is a home rule city, first class city, or borough must file with the department a copy of that municipality's audit for that municipality's second fiscal year preceding the municipal fiscal year in which the allocation is to be made; and

(E) that is a second class city must file with the department a copy of that city's audit or certified statement of annual income and expenditures for that city's second fiscal year preceding the city fiscal year in which the allocation is to be made.

(Eff. ____/____/____, Register ____)

Authority: AS 44.33.020

3 AAC 176.030. Calculation of energy assistance grants. The department will fully allocate, subject to the availability of appropriations, money among eligible cities and boroughs as set out in sec. 2, ch. 6, SLA 2005. (Eff. ____/____/____, Register ____)

Authority: AS 44.33.020

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3 AAC 176.040. Department distribution of grant money. The department will award grants allocated under 3 AAC 176.030 as soon as possible within the state fiscal year in which the department receives money for that purpose. (Eff. ____/____/____, Register ____)

Authority: AS 44.33.020

3 AAC 176.050. Use of grant money. A grant awarded under this chapter to a city or borough must be

- (1) first used to repay any indebtedness of the city or borough to the bulk fuel revolving loan fund under AS 42.45.250;
- (2) secondly used to repay any indebtedness of the city or borough to a fuel company or fuel vendor;
- (3) used for the purchase of fuel by the city or borough.

(Eff. ____/____/____, Register ____)

Authority: AS 44.33.020

3 AAC 176.060. Documentation required for payment of grant money. (a) To receive reimbursement for the purchase of fuel made subsequent to June 30, 2004, a city or borough must submit to the department documentation of the fuel payment including a copy of the paid fuel invoice, cancelled municipal check, or other documentation satisfactory to the department.

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(b) A municipality may request that the department make a direct payment to a fuel vendor on their behalf. Prior to making the payment, the department must receive written authorization from the municipality and a copy of the unpaid fuel invoice.

(Eff. ____/____/____, Register ____)

Authority: AS 44.33.020

3 AAC 176.900. Definitions. In this chapter, unless the context requires otherwise,

(1) "commissioner" means the commissioner of commerce, community, and economic development;

(2) "borough" has the meaning given in AS 29.71.800(3);

(3) "city" has the meaning given in AS 29.71.800(4);

(4) "department" means the Department of Commerce, Community, and Economic Development;

(5) "governing body" has the meaning given in AS 29.71.800(10);

(6) "municipality" has the meaning given in AS 29.71.800(13);

(7) "purchase of fuel" means the total cost of acquiring fuel including transportation costs. (Eff. ____/____/____, Register ____)

Authority: AS 44.33.020